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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :  
Fosamax Products Liability Litigation : 1:06-md-1789 (JFK)  
:

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*This Document Relates to:* : **NOTICE OF APPEARANCE**  
Robert C. Smith :  
v. Merck & Co., Inc. :  
:  
Case No: 1:08-cv-4162-JFK :  
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PLEASE TAKE NOTICE that David J. Heubeck hereby enters his appearance as counsel of record in the above referenced causes of action. All inquiries, pleadings and court documents should be filed and served upon the undersigned.

Dated: May 27, 2008  
New York, New York

Respectfully submitted,

By: \_\_\_\_\_/s/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 27, 2008, the foregoing NOTICE OF APPEARANCE was filed electronically and served electronically, pursuant to the Court's Case Management Order, via the Court's CM/ECF system.

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